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W.P.No.17686 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 17686 of 2024

&

W.M.P. No. 19453 of 2024

C.Jaiganesh

...Petitioner

Vs.

1.The Deputy Director (HIU - 2(3))
Directorate of Enforcement,
New Delhi.

2.The Sub-Registrar,
Office of Sub-Registrar,
Tambaram

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 2nd respondent to register the cancellation of the memorandum of deposit of title deed, settlement deed in respect of the petitioner's property more specifically plot bearing no.Y4



measuring 1040 sq.ft comprised in survey no.579/2 part, under patta no.2334 as per patta old sub division survey no.579/2A part now in new sub division survey no.579/ 2A1A1A1 part in the layout named 'Sri Sai Avenue' comprised s.nos.579/1, 579/2, 580/1, 580/2, 582/3 and 582/2B measuring to an extent of 7.59 acres, situated at no.9, Nedungundram Village, Chengalpattu Taluk, Kancheepuram District (now in Vandalur Taluk, Chengalpattu District) unbiased by the attachment order passed vide F.no.ECIR/ 04/ DLZO-II/ 2018 dated 15.02.2022, passed by the 1st respondent.

For Petitioner : Mr. D.Saikumarran
For Respondent 1: Mr. Rajnish Pathiyil
SPP ED
For Respondent 2: Mr. B.Vijay
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To direct the 2nd respondent to register the cancellation of the memorandum of deposit of title deed, settlement deed in respect of the petitioner's property



more specifically plot bearing no.Y4 measuring 1040 sq.ft comprised in survey no.579/2 part, under patta no.2334 as per patta old sub division survey no.579/2A part now in new sub division survey no.579/ 2A1A1A1 part in the layout named 'Sri Sai Avenue' comprised s.nos.579/1, 579/2, 580/1, 580/2, 582/3 and 582/2B measuring to an extent of 7.59 acres, situated at no.9, Nedungundram Village, Chengalpattu Taluk, Kancheepuram District (now in Vandalur Taluk, Chengalpattu District) unbiased by the attachment order passed vide F.no.ECIR/ 04/ DLZO-II/ 2018 dated 15.02.2022, passed by the 1st respondent”.

2. A counter has been filed by the 1st respondent. In paragraph No.iv of the counter affidavit, the 1st respondent has stated that the subject property has not been provisionally attached.



W.P.No.17686 of 2024

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3. Therefore, there is no impediment for registration. The Writ Petition is allowed. The 2nd respondent is directed to register the document, within a period of 2 weeks, from the date of its representation by the petitioner. Consequently, the connected miscellaneous petition is closed. No costs.

09.01.2025

Index : Yes/No
Internet : Yes/No
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W.P.No.17686 of 2024

To

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Directorate of Enforcement,
New Delhi.

2.The Sub-Registrar,
Office of Sub-Registrar,
Tambaram

P.T. ASHA, J,



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W.P.No.17686 of 2024

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